



AA #4/B. 1638
(NE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : W.A. Keller, et al
Appln. No. : 09/886,207
Title : Transgenic Plants and Methods for Production Thereof
Grp./A.U. : 1638
Docket No. : S&B - C100

RECEIVED

SEP 26 2001

Honorable Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

AMENDMENT

Sir:

By way of Preliminary Amendment, please amend the above-identified application as follows,
without prejudice or disclaimer:

IN THE CLAIMS:

NE Please cancel claim 79 of record.

NE incorrect Please renumber claims 80-103 as claims 75-98:

NE 75. (Amended) A transgenic plant, comprising:

a conditionally lethal first gene expressible in a plant cell of said transgenic plant;

and

a second gene expressible in said plant cell of said transgenic plant, said second gene, when expressed in said plant cell, conferring a non-naturally occurring trait of interest on said plant cell.

76. (Amended) The transgenic plant of claim 75, wherein said transgenic plant is a variety of Brassica.

77. (Amended) The transgenic plant of claim 76, wherein said second gene confers upon said variety of Brassica a high oleic, low linoleic acid genotype.

78. (Amended) The transgenic plant of claim 76, wherein said variety of Brassica is variety AG-019 or derivatives thereof.

79. (Amended) A method for selectively removing at least one plant from a growing environment, comprising:

transforming at least one plant cell with a genetic construct including:

a conditionally lethal first gene expressible in said at least one plant cell; and